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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ABANTE ROOTER AND PLUMBING,
INC., MARK HANKINS, and PHILIP J.
CHARVAT, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

ALARM.COM INCORPORATED, and
ALARM.COM HOLDINGS, INC.,

Defendants.

NO. 4:15-cv-06314-YGR

**SUPPLEMENTAL DECLARATION OF
CARLA A. PEAK IN SUPPORT OF
NOTICE PLAN**

JURY TRIAL DEMAND

Complaint Filed: December 30, 2015

Honorable Yvonne Gonzalez Rogers

DATE:

TIME:

LOCATION: Oakland Courthouse
Courtroom 1 - 4th Floor

SUPPLEMENTAL DECLARATION OF CARLA A. PEAK IN SUPPORT OF NOTICE
PLAN - 1

CASE No. 4:15-cv-06314-YGR

1 I, Carla A. Peak, declare as follows:

2
3 1. I am a Vice President of Legal Notification Services at KCC, LLC ("KCC")
4 located at 3301 Kerner Boulevard, San Rafael, California 94901.

5 2. I am over the age of 21. The matters described in this Declaration are based upon
6 my own personal knowledge, as well as information received from the parties. The opinions and
7 recommendations made herein are based on my training and experience.

8 3. This Declaration supplements my prior declaration, Declaration of Carla A. Peak
9 In Support of Notice Plan (Dkt. No. 280). This Declaration provides additional information and
10 data regarding the publication portion of the proposed Notice Plan, as well as the cost of the class
11 certification notice program that was previously implemented.

12 4. KCC used a variety of advertising measurement tools to ensure the reach of its
13 Notice Plan. For example, to measure the effectiveness of the consumer publications KCC
14 utilizes GfK Mediamark Research & Intelligence, LLC (MRI). MRI is a nationally accredited
15 research firm that provides consumer demographics, product and brand usage, and
16 audience/exposure in all forms of advertising media. Established in 1979, MRI measures the
17 usage of nearly 6,000 product and service brands across 550 categories, along with the
18 readership of hundreds of magazines and newspapers, internet usage, television viewership,
19 national and local radio listening, yellow page usage, and out-of-home exposure. Based on a
20 yearly face-to-face interview of 26,000 consumers in their homes, MRI's Survey of the
21 American Consumer™ is the primary source of audience data for the U.S. consumer magazine
22 industry and the most comprehensive and reliable source of multi-media audience data available.

23 5. MRI indicates that *People* will reach 16.9% of likely Settlement Class Members
24 and *Better Homes and Gardens* will reach 15.4%. Combined, the net reach of these publications
25 is approximately 27.5%.

26 6. To measure the effectiveness of the internet banners and social media advertising,
27 comScore, Inc. (comScore) data was studied. comScore is a leading cross-platform measurement

1 and analytics company that precisely measures audiences, brands and consumer behavior
2 everywhere, capturing 1.9 trillion global interactions monthly. comScore's proprietary digital
3 audience measurement methodology allows marketers to calculate audience reach in a manner
4 not affected by variables such as cookie deletion and cookie blocking/rejection, allowing these
5 audiences to be reached more effectively. comScore operates in more than 75 countries, serving
6 over 3,200 clients worldwide.

7 7. According to comScore, purchasing and distributing approximately 241.75
8 million internet impressions over the Google Display Network, Facebook and YouTube will
9 reach approximately 64.1% of likely Settlement Class Members.

10 8. Using advertising-industry standard reach calculations, the combined net reach of
11 the media portion of the Notice Program is approximately 74%.¹

12 9. KCC designed and implemented the class certification notice program in this
13 case. The cost of that notice program was \$221,293.77.

14 I, Carla A. Peak, declare under penalty of perjury that the foregoing is true and correct.
15 Executed this 6th day of December 2018, at Sellersville, Pennsylvania.

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18 Carla A. Peak
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26 ¹ The reach or net reach of a notice program is defined as the percentage of a class that was
27 exposed to a notice net of any duplication among people who may have been exposed more than once.

LOCAL RULE 5-1(I)(3) STATEMENT

Pursuant to Local Rule 5-1(i)(3), I hereby attest that in concurrence to the filing of this document permission was obtained from the signatory, and that I will maintain records to support this concurrence by the signatory subject to this document as required under the local rules.

DATED this 17th day of December, 2018.

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CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify that on December 17, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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1 DATED this 17th day of December, 2018.

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